

10 THE FOOTBALL ASSOCIATION PREMIER )  
11 LEAGUE LIMITED, BOURNE CO., et al., )  
12 on behalf of themselves and all )  
13 others similarly situated, )  
14 Plaintiffs, )  
15 vs. ) NO. 07-CV-3582  
16 YOUTUBE, INC., YOUTUBE, LLC, and )  
17 GOOGLE, INC., )  
18 Defendants. )

HIGHLY CONFIDENTIAL  
VIDEOTAPED DEPOSITION OF DAVID KING  
SAN FRANCISCO, CALIFORNIA  
FRIDAY, DECEMBER 12, 2008

21 BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CCRR, CLR  
CSR LICENSE NO. 9830  
JOB NO. 16211

**Figueira Decl. Tab**

75

1 KING 75-0002

2 afternoon, Mr. King.

3 Under item 1B, these are apparently options.

4 It says/state "Offer UMG the ad-inventory for the  
5 videos that we don't have publishing (we would have to  
6 run this by compliance) as a way to keep them live  
7 on" -- YouTube or -- "YT" -- excuse me, there's an  
8 abbreviation -- "(block embeds)."

9 Do you see that? Actually, there's no period  
10 there, but a full stop.

11 A Yes, I see that.

12 Q Okay. Do you have any idea what that  
13 statement means, we don't have publishing for certain  
14 videos as a way to keep them live on YouTube?

15 MR. MANCINI: Again, objection to the extent  
16 it calls for any legal communications.

17 You can testify to a business understanding.

18 Just to be clear, I'll permit the witness to  
19 testify to a fact, to a fact about -- but not to  
20 communications with lawyers.

21 THE WITNESS: So putting -- what this would  
22 be referring to is, at times, for specific sound  
23 recordings, YouTube has certain sound recordings where  
24 the -- the publishing has not been identified.

25 MR. HART: Q. Unidentified or not cleared?